

*sub C 2*

34. (New) The image forming apparatus according to Claim 29, wherein

the control codes and the rewrite execution codes are programs that are executed by said processor.

*AB*

35. (New) A rewrite control method for an image forming apparatus

forming an image in accordance with control codes, which have been stored in a code memory, said rewrite control method comprising:

a first control step of controlling transfer of rewrite execution codes, which are adapted to execute rewrite of the control codes, from an external apparatus in accordance with transfer control codes which have been stored in a memory and are adapted to control transfer of the rewrite execution codes from the external apparatus;

a second control step of controlling transfer of control codes from the external apparatus; and

a third control step of controlling rewriting the control codes, which have been stored in said code memory, with the control codes transferred from the external apparatus in accordance with the rewrite execution codes transferred from the external apparatus.--

---

REMARKS

Claims 15, 16, 18-23 and 25-35 are in the application, with Claims 15 and 22 having been amended, Claims 17 and 24 having been cancelled and Claims 29-35

having been added. Claims 15, 22, 29 and 35 are the independent claims. Reconsideration and further examination are respectfully requested.

Claims 15-17, 19, 21-24, 26 and 28 were rejected under 35 U.S.C. §103 over U.S. Patent No. 5,787,288 (Nagata); Claims 15-18 were rejected under 35 U.S.C. §103 over U.S. Patent No. 5,590,373 (Whitley) and Nagata; Claims 15-17, 19, 21-24, 26 and 28 were rejected under 35 U.S.C. §103 over Nagata and U.S. Patent No. 5,987,535 (Knodt); and Claims 15-28 were rejected under 35 U.S.C. §103 over Whitley, Nagata and Knodt. Applicants have carefully considered the Examiner's remarks and the cited references and respectfully submit that the claims herein are patentably distinguishable over the cited art for at least the following reasons.

Amended independent Claim 15 defines an image forming apparatus forming an image in accordance with control codes. The image forming apparatus includes a first memory medium for storing the control codes to control the image forming apparatus, display means for displaying messages associated with an image forming operation, receive means for receiving data from an external apparatus, a second memory medium for storing the data received by the receive means, a third memory medium for storing transfer control codes which are adapted to control transfer of rewrite execution codes from the external apparatus, wherein the rewrite execution codes are adapted to execute rewrite of the control codes, and rewrite means for rewriting the control codes, which have been stored in the first memory medium. According to the invention of Claim 15, when the display means displays a message informing of the fact that the image forming apparatus is under download of data into the second memory medium, the receive means receives rewrite execution codes from the external apparatus in accordance with the

transfer control codes stored in the third memory medium, the received rewrite execution codes are stored in the second memory medium, the receive means receives control codes from the external apparatus, the received control codes are stored in the second memory medium, and the rewrite means rewrites the control codes, which have been stored in the first memory medium, with the control codes stored in the second memory medium in accordance with the rewrite execution codes stored in the second memory medium.

By virtue of the foregoing structure, an image forming apparatus itself can control when transfer control codes are triggered to initiate transfer of rewrite execution codes or control codes without executing an image forming process.

The applied art of record is not understood to disclose or to suggest the foregoing features. In this regard, Nagata discloses a system for updating an internal program of an apparatus which is capable of communicating with a central station. Specifically, Nagata discloses that a central station transfers a renewal program and an apparatus control program to a facsimile machine. However, Nagata does not disclose or suggest storing a program for controlling transfer of the renewal program in the facsimile machine itself. As such, since the renewal program and the apparatus control program are transferred during image forming processing in the facsimile machine, the central station has to manage an active state of the facsimile machine to initiate transfer of the renewal program and monitor the state of the facsimile machine at any time. This is quite unlike the present invention in which the program can be executed in the device itself without an image forming operation being performed.

The remaining art of record, namely, Whitley and Knodt, is not understood to disclose anything which would make up for the deficiencies of Nagata. Specifically,

neither Whitley nor Knott disclose or suggest indicating or displaying that a program is being updated nor do they disclose storing transfer control codes which are adapted to control transfer rewrite execution codes from an external apparatus wherein the rewrite execution codes are adapted to execute rewrite of the control codes and rewrite means which rewrites the control codes which have been stored in a first memory medium, with the control codes stored in a second memory medium in accordance with rewrite execution codes stored in the second memory medium. Accordingly, Claim 15 is believed to be allowable.

Claim 22 is a method claim written along the lines of Claim 15 and is believed to be allowable for the same reasons given above.

Newly added Claims 29-35 are believed to be allowable for the same reasons given above with respect to Claim 15.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicants

Registration No. 36,171

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 35809 v 1

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE TO CLAIMS

15. (Twice Amended) An image forming apparatus forming an image in accordance with control codes, said image forming apparatus comprising:

a first memory medium for storing the control codes to control said image forming apparatus;

display means for displaying messages associated with an image forming operation;

receive means for receiving data from an external apparatus;

a second memory medium for storing the data received by said receive means;

[and]

a third memory medium for storing transfer control codes which are adapted to control transfer of rewrite execution codes from the external apparatus, wherein the rewrite execution codes are adapted to execute rewrite of the control codes; and

rewrite means for rewriting the control codes, which have been stored in said first memory medium,

wherein, when said display means displays a message informing of the fact that the image forming apparatus is under download of data into said second memory medium, said receive means receives rewrite execution codes[, which are adapted to execute rewrite of the control codes,] from the external apparatus in accordance with the transfer control codes stored in

said third memory medium, the received rewrite execution codes are stored in said second memory medium, said receive means receives control codes from the external apparatus, the received control codes are stored in said second memory medium, and said rewrite means rewrites the control codes, which have been stored in said first memory medium, with the control codes stored in said second memory medium in accordance with the rewrite execution codes stored in said second memory medium.

17. (Cancelled)

22. (Twice Amended) A rewrite control method for an image forming apparatus forming an image in accordance with control codes, which have been stored in a first memory medium, said rewrite control method comprising:

a first receiving step of receiving rewrite execution codes, which are adapted to execute rewrite of the control codes, from an external apparatus in accordance with transfer control codes, wherein the transfer control codes are adapted to control transfer of rewrite execution codes from the external apparatus and have been stored in a third memory medium;

a first storing step of storing the received rewrite execution codes in a second memory medium;

a second receiving step of receiving control codes from the external apparatus;

a second storing step of storing the received control codes in the second memory medium;

a rewriting step of rewriting the control codes, which have been stored in the first memory medium, with the control codes stored in the second memory medium, in accordance with the rewrite execution codes stored in said second memory medium; and

a displaying step of displaying a message informing of the fact that the image forming apparatus is under download of data into the second memory medium.

24. (Cancelled)